

# THE BATTLE-CRY

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ILLUSTRATIONS by C.D. RHODES

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## CHAPTER XX—Continued.

The little town itself lay dismal and helpless, with its shacks scattered over its broken and uneven levels.

Dawn, perhaps, found it hardest; for in this one day Dawn had grown up, and tomorrow would bring the boy whom she now confessed to loving, though she confessed it with self-contempt, leading a force to meet that of her own people, fighting to avenge her father, Juanita, whose eyes could not escape iron reminders when she glanced down at the Christmas packages, seemed to hear over and over the voice of Anse Hayve saying: "I'm done" it because ye asks it.

She had sought to avert an assassination, and it seemed that the effort would precipitate a holocaust.

Anse was very busy, but he found time to come to her that afternoon. In the bare little lobby the firelight glinted on many rifles as their owners lounged about the hearth.

And in Anse she saw once more the stern side. His face was unsmiling, and in his eyes was that expression which made her realize how inflexibly he would set about the accomplishment of the thing he had undertaken. Then, as he spoke to her, a sudden softness came into his eyes.

"God knows I'm sorry," he said, "that this thing broke just now. I didn't aim that ye should be no eye-witness."

Juanita smiled rather wanly. Old Milt, he told her, would soon be released. "We ain't even goin' to keep him in the jailhouse no longer than mornin'." We couldn't convict him, an' it would only bring on more trouble.

"Why was he arrested?" she asked blankly.

"Just to keep him out of mischief overnight," he smiled. "Even the law can be used for strategy."

"What will happen when the McBriars come back?" she demanded in a shaken voice.

He shook his head. "I can't hardly say," he replied.

But the next morning Anse Hayve came again and cautioned the two women not to leave their rooms and not to keep their shutters open. All that day the town lay like a turtle, tight drawn into its shell. Streets were empty. Doors were locked and shutters barred. But toward evening, to the girl's bewilderment, she saw Hayve riding out of town instead of into it. Soon there were no more horses at the racks. By night the place which was to be assaulted tomorrow seemed to have been abandoned by its defenders.

Old Milt McBriar had ridden out in the morning, freed but wrathful. The figure of Bad Anse Hayve she saw often from her window, but for the most part the force of Hayve had evaporated.

Then followed another wretched night, and with forenoon the snow-wrapped town settled down to the empty silence of a cemetery, but with early afternoon the new procession began to come in. A long and continuous stream of McBriar horsemen, each armed to the teeth, rode past the hotel and went straight to the courthouse. Then she heard again the sound she had heard on her first night in the mountains, only now it came from a hundred throats.

It was the McBriar yell, and after it came a scattering of rifle and pistol shots. The clan was going away again and shooting up the town as they went, but what had happened down there at the courthouse?

## CHAPTER XXI.

Later she heard the story. The McBriars had come expecting battle. They had found every road open and the town deserted. For a time they had gone about looking for trouble, but found no one to oppose them. Then Old Milt and his son had ridden to the courthouse to demand the keys of the jail. They found Judge Sidering sitting in the little office, and with him, quite unarmed and without escort, sat Bad Anse Hayve. When the two McBriars, backed by a score of armed men, broke fiercely into the room, others massed at their backs, crowding doorway and hall.

Judge Sidering greeted his visitors as though no intimation had ever reached him that they were coming with a grievance.

"Come in, Milt, and have a chair," he invited.

"Cheer, hell!" shouted Milt McBriar. "Give me the keys to that jailhouse, an' give 'em ter me quick!"

Opening the drawer of his desk as if he had been asked for a match, Judge Sidering took out the big iron key to the outer door and the smaller brass key to the little row of cells. He tossed the two across to Milt in a matter-of-fact fashion.

Five minutes later the McBriar chief was back trembling with rage. He had found the jail empty.

"If you're lookin' for Luke Thixton, Milt," said the judge calmly, "the best sheriff took him to Louisville yesterday for safe-keeping."

—and marry her—and then—at that point Bad Anse Hayve refused to follow his trend of thought further. He only ground his teeth.

"Ye damn fool," he told himself. "That ain't no reason why ye shouldn't make the most of today. She's right here now, an' she's sun an' moon an' star shine and music an' sweetness."

She did not know, and he gave her no hint, that in these times, with plots and counterplots hatching on both sides of the ridge, he never made that journey in the night without inviting death. He was walking miles through black woodland trails each evening to relieve for an hour or two her loneliness and to worship with sealed lips and a rebellious heart.

On the night before he was to go to Peril to attend the trial of Luke Thixton he came with a very full and heavy heart. He knew that it might be a farewell. Tomorrow he must put to the test all his hold on his people and all his audacity of resolution. He stood at the verge of an Austerlitz or a Waterloo, and he had undertaken the thing for no reason except that it had pleased her to command it.

He knew that among his own followers there were smiles for the power which a "furrin" woman had come to wield over him, and if one failure marred his plans those smiles would become derisive. It was weakness to go on as he was going, saying dumbly at her with boundless adoration he dared not voice. Tonight he would bluntly tell her that he was doing these things because he loved her; that while he was glad to do them, he could not let her go on misunderstanding his motives.

But when he reached the school she rose to receive him, and he could see only the slimmest of her graceful figure and the smile of welcome on her lips, and the man who had never been recreant before to the mandate of resolution, became tongue-tied.

She held out a hand, which he took with more in his grip than the hand-clasp of friendship, but that she did not notice.

"Anse," she laughed, "I've had a letter from home today urging me to give up and come back. They don't realize how splendidly I am going to succeed, thanks to your help. I want you to go with me soon and mark some new trees for felling. It won't be long now before they can begin building again."

"I wonder," he said, looking at her with brows that were deeply drawn and eyes full of suffering, "if ye'll ever have time to stop talkin' about the school for a little spell an' remember that I'm a human bein'!"

"Remember that you're a human being!" she questioned in perplexity. She stood there with one hand on the back of her chair, her face puzzled. He decided at once that this expression was the most beautiful she had ever worn, and he sturdily held that conviction until her eyes changed to laughter, when he forswore his allegiance to the first fascination for the second.

"Are you sure you are a human being?" she teased. "When you wear that sulky face you are only half human. I ought to make you stand in the corner until you can be cheerful."

"I reckon," he said a little bitterly, "if ye ordered me to stand in the corner I'd do it."

Then, with a dragging of shoe-leather, the twelve "good men and true," shambled to a semicircle before the bench, gazing stolidly and blankly at the rows of battered law books which served his honor as a background.

There they stood awkwardly in the gaze of all. Judge Sidering glanced into the beating countenance of the foreman and inquired in that bored voice which seems a judicial affectation even in questions of life and death: "Gentlemen, have you agreed upon a verdict?"

The foreman nodded. The sheet of paper, which he passed to the clerk, had been signed by more than one juror with a cross because he could not write.

"We, the jury," read the clerk in a clear voice, "find the defendant, Luke Thixton, guilty of the crime in the indictment. There, although he had not yet reached the end, he indulged in a dramatic pause, then read on the more important clause in the terms of the Kentucky law which leaves the placing of the penalty in the hands of the jurors—"and fix his punishment at death."

As though relieved from a great pressure, young Jeb McNash withdrew his hand from his holster and settled back in his chair with fixed muscles. Judge Sidering's former question broke in on the dead quiet. "So say you all, gentlemen?" and twelve shaggy heads nodded wordless affirmation.

Soldiers filed in from the rear. In less than thirty seconds the prisoner had disappeared. Outside the galling guns remained in place, and the troops patrolled the streets.

For two days the McBriars stayed in town, but the troops lingered longer, and in that time Luke had again been taken back to Louisville.

Once more Old Milt led back a disappointed faction with no more spirit than a program than to go home and hide its time again. When they brought Luke back to hang him, his friends would have one final chance.

A seeming of quiet, under which hot wrath smoldered, settled over hill and cove, but a new note began to run through the cabins of the McBriar dependents. It was a note of waning faith and loyalty for their chief.

Old Milt read the signs and felt that his dominion was now a thing upon which decay had set its seal, and un-

der his grave face he masked a breaking heart. His star was setting, and since he was no longer young and still incapable of bending, he sickened slowly through the wet winter, and men spoke of him as an invalid.

With Milt "allin'," there was no one to take up the reins of clan government, and those elements that had been held together only by his iron dominance began drifting asunder.

One mill day when a group of McBriars met with their sacks of grist at a water-mill, someone put the question: "Who's-a-goin' ter go down thar an' take Luke Thixton away from thar Hayve now thar Old Milt's down an' out?"

There was a long silence, and at last a voice drawled: "Hit ain't no goin' ter be me. What's Luke Thixton ter me, anyhow? He didn't never lend me no money."

"I reckon thar's a heap o' sense in that," answered another. "Pears like, when I come ter recollect, most of thar fightin' an' furrin' I've done in my time hain't been in my own quarrels nohow." And slowly that spirit spread.

When Anse Hayve went over to the school one day Juanita took him again to the rifle-rack, now once more well filled. "Have a look, my lord bar-



His Honor Had Directed That Every Man—Save Officials—Should Be Disarmed at the Door.

barian," she laughed. "Mars is paying me tribute. So shall it ever be with tyranny."

Slowly, and one by one, Anse Hayve took up the pieces and examined them. "It ain't only Mars that's paying ye tribute," he thought, but he only said: "That's all right. I seem to see more McBriar guns there than Hayve guns. It would suit me all right if ye got the last one of 'em."

"Hadin' you as well hang yours there, too?" she teased. "I'm still willing to give you the honors of war."

But he only smiled. "I'll hang mine up last of all, I reckon. Luke Thixton ain't hung yet, and there's other clouds a brewin' besides that."

"What clouds?" she asked. "There was a bunch of surveyors through here lately," he replied slowly. "They just sort of looked round and went away. Some day they'll come back."

"And then?" "Anse Hayve shrugged his shoulders. "I may need my gun," he said.

Not until it became certain that he must die did Old Milt send for his son, or even permit him to be told of his illness. But just as the winter's siege was ending Young Milt came home, and two days later the mountains heard that the old feudist was dead.

Brother Anse Talbott and Juanita and a doctor who had come from Lexington were witnesses to that leave-taking. They saw the old man beckon feebly to the boy. Young Milt came and sat on the edge of the bed, schooling his features as he waited the final injunctions which, by his code, would be mandatory for life.

They all waited to hear the old lion break out in a final burst of vindictiveness, to see him lay upon his boy's young shoulders the unfinished ordeals of his hatreds. But it was the eye of the father, not the feudist, that gazed up from the pillow. His wasted fingers lay affectionately on his son's knee and his voice was gentle.

"Son," said the old man, "I'd love ter hev ye live at peace of ye kin. I've done tried other way an' hit's kill me. I'd rather ye'd let my fights be buried along with my body. Anse Hayve's goin' ter run things in these mountains. He's a smarter man than me. I couldn't never make no peace with Anse Hayve, but the things that's always stood betwixt us lays a long way back. Mebbe you an' him might pull together an' end thar feud. I leaves that with you; but hit took death ter make me see hit."

Here he broke off exhaustedly, and for a time seemed fighting for breath. At last he added: "I've knowed all along thar Luke killed Fletch McNash. I thought I'd ought ter tell ye."

A week after the death of the old leader Young Milt rode over to the house of Anse Hayve, and there he found Jeb McNash. The two young men looked at each other without expression. Just after the death of his father Jeb would not willingly have renewed their quarrel, and as for Young Milt, he no longer felt resentment.

"Anse," said the heir to McBriar leadership, "I rid over here ter offer ye my hand. I've done found out thar Luke is as guilty as hell. I didn't believe hit afore. So fur as I'm concerned, he kin hang an' I'm goin' ter tell every McBriar that thar will harken ter me thar same thing. So fur as I'm concerned," went on the

lad, "I'm against the shootin' of any man from the la'el."

Just as the earliest flowers began to peep out with shy faces in the woods, and the first softness came to the air, men began rearing a scaffold in the courthouse yard at Peril.

One day a train brought Luke Thixton back to the hills, but this time only a few soldiers came with him, and they were not needed. Juanita tried to forget the significance of that Friday, but she could not, for all the larger boys were absent from school, and all day Thursday the road had been sprinkled with horses and wagons. She knew with a shudder that they were going to town to see the hanging. A gruesome fascination of interest attached to so unheard of an event as a McBriar clansman dying on a Hayve scaffold with his people standing by idle.

But Luke Thixton, going to his death there among enemies, went without flinching, and his snarling eyes, even twisted a bit derisively when he mounted the scaffold, as they had twisted when he declined Good Anse Talbott's ministrations in the jail.

Since he must die among enemies, he would give them no weakness over which to gloat in memory.

He raised his head, and his snarling turned slowly and unpleasantly into a grin of contempt, and his last words were a picturesque curse called down alike on the heads of the foes who put him to death and on the false friends who had failed him.

Afterward Young Milt and Bad Anse shook hands, and the younger man said to the older:

"Now that I've proved to ye that I meant what I said, I reckon we can make peace thar'll endure a spell, can't we?"

And Anse answered: "Milt, I've been hopin' we could ever since the day we watched for the feller that aimed to burn down the school."

## CHAPTER XXII.

That spring new buildings went up at the school and brave rows of flowers appeared in the garden.

At first her college had been a kindergarten in effect, but now as Juanita stood on the porch at recess she wondered if any other schoolmistress had ever drawn about her such a strange assortment of pupils. There were little tots in bright calico, glorying in big bows of cotton hair-ribbon—but submitting grudgingly to the combing of the hair they sought to adorn. There were larger boys and girls, too, and even a half-dozen men just now pitching horseshoes and smoking pipes—and they also were learning to read and write.

In the afternoons women rode in on mules and horses or came on foot, and Juanita taught them not only letters and figures, but lessons looking to cleaner and more healthful habits.

May came with smiles and songs in the sky from sunrise to sunset, and in the woods, where the moisture rose and tender greens were sending out their hopeful shoots, the wild flowers unfolded themselves. Then Juanita Holland and Anse Hayve would go together up to the ridge and watch the great awakening across the brown and gray humps of the hills, and under their feet was a carpet of glowing petals.

Anse Hayve had never had such a companionship, and hidden things began to waken in him.

So when she stood there, with the spring breeze caressing the curling tendrils at her temples, and blowing her gingham skirt about her slim ankles, and pointed off, smiling, to his house, he dropped his head in mock shame.

"Only the castle moodily gloomed to itself apart," she quoted in accusation, and the man laughed boyishly.

"I reckon ye haven't seen the castle lately," he said. "Ye wouldn't hardly know it. It's gettin' all cleaned up an' made civilized. The eagle's nest is turnin' into a sure-enough bird cage."

"Who's changing now?" she bantered. "Am I civilizing you or—her eyes danced with badinage—"are you preparing to get married?"

His face flushed and then became almost surely.

"Who'd marry me?" he savagely demanded.

"I'm sure I don't know," she teased. "Whom have you asked?"

He bent a little forward and said slowly:

"Once ye told me I was wasting my youth. Ye told I ought to be captain of my soul. If I found a woman that I wanted and she wouldn't have me—what ought I to do about it?"

"There are two courses prescribed in all the correspondence schools, and both are perfectly simple," she announced with mock gravity. "One is simply to take the lady first and ask her afterward. The other is even easier; get another girl."

"Oh," he said. He was hurt because she had either not seen or had pretended not to see his meaning. She had not grasped the presumptuous dream and effrontery of his heart.

His voice for a moment became enigmatical as he added: "Sometimes I think ye've played hell in these mountains."

That spring silent forces were at work in the hills; as silent and less beneficent than the stirring sap and the brewing of showers.

Three men in the mountains were now fully convinced that what the world needs the world will have, and they were trying to find a solution to the question which might make their own people sharers in the gain, in stead of victims. These three were Anse and Milt and Jeb, and their first step was the effort to hold landowners in check, and make them slow to sell and guarded in their bargaining.

TO BE CONTINUED.

## LATE MARKET QUOTATIONS

Western Newspaper Union News Service.  
DENVER MARKETS.

Cattle.	
Steers (pulp fed), good to choice	\$9.00@10.50
Steers (pulp fed), fair to good	8.00@9.00
Steers (hay fed), good to choice	9.00@10.15
Steers (hay fed), fair to good	7.75@9.00
Hefers, prime	7.50@8.25
Cows (pulp fed), good to choice	7.25@7.75
Cows (pulp fed), fair to good	6.50@7.25
Cows (hay fed), good	7.00@7.50
Cows (hay fed), fair	6.25@7.00
Cows, canners	4.50@5.75
Veal calves	9.50@11.00
Bulls	5.50@7.00
Feeders and stockers, good to choice	8.25@9.50
Feeders and stockers, fair to good	7.25@8.25
Feeders and stockers, common to fair	6.25@7.25

Hogs.	
Good hogs	\$11.80@12.25
Sheep.	
Wethers	10.50@11.00
Yearlings	11.75@12.50
Lambs	13.25@13.75
Ewes	9.50@10.25

## HAY AND GRAIN MARKET.

F. O. B., Denver, Carload Prices.

Hay.	
Colorado, upland, per ton	\$15.00@16.00
Nebraska upland, per ton	12.00@13.00
Nebraska bottom, Colorado and Nebraska, per ton	12.00@13.00
Timothy, per ton	17.00@18.00
Alfalfa, per ton	12.00@13.00
South Park, choice, per ton	17.00@18.00
San Luis Valley, per ton	14.00@15.00
Gunnison Valley, per ton	15.00@17.00
Straw, per ton	4.00@5.00

Grain.	
Wheat, ch. mill, 100 lbs., buying	\$2.57
Rye, Colo., bulk, 100 lbs., buying	1.85
Oats, Nebraska, 100 lbs., buying	1.85
Colorado oats, bulk, buying	1.85
Corn chop, sack, selling	2.00
Corn in sack, selling	1.97
Bran, Colorado, per 100 lbs., selling	1.70

## Flour.

Hungarian Patent	\$4.10
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## Dressed Poultry.

Less 10 Per Cent Commission.	
Turkeys, fancy D. P.	26
Turkeys, old toms	22
Turkeys, choice	17
Hens, fancy	20
Springs, lb.	20
Ducks, young	16
Geese	16
Roosters	10

## Live Poultry.

The following prices on live poultry are net F. O. B. Denver:	
Hens, 5 lbs. and over, lb.	16
Hens, under 5 lbs., lb.	15
Springs, lb.	18
Stags, lb.	10
Roosters	06
Turkeys, 10 lbs. or over	22
Ducks, young	15
Geese	15

## Eggs.

Eggs, graded No. 1 net, F. O. B. Denver	36@37
Eggs, graded No. 2 net, F. O. B. Denver	30
Eggs, case count, misc. cases, less commission	10.00@10.50

## Butter.

Creameries, ex. 1st grade, lb.	34@36
Creameries, 2d grade, lb.	31@34
Process	30
Packing stock	25

## Fruit.

Apples, Colo., fancy, box	\$1.00@3.00
Pears, Colo., winter, box	2.50@3.00

## Vegetables.

Beets, cwt.	\$2.75@3.00
Carrots, cwt.	2.75@3.00
Cauliflower, lb.	.10@.12
Celery, Pascal, lb. gr. doz.	.85@1.10
Onions, table, doz.	.40@.50
Onions, cwt.	6.00@8.00
Potatoes, cwt.	4.00@5.00

## MISCELLANEOUS MARKETS.

### Metal Market Quotations.

Bar silver, 78%; lead, New York	\$8.50
Copper, \$29.12½; spelter, St. Louis	\$9.42

Boulder—Tungsten concentrates, 50 per cent, \$17.00 per unit. Crude ores, 50 per cent, \$15.00; 25 per cent, \$9.40; 12.00; 10 per cent, \$5.70@10.00 per unit.	
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### Butter, Eggs and Poultry.

Chicago—Butter—Creamery, 32@42c.	
Eggs—Firs, 41½@42c; ordinary firs, 38½@39c; at mark, cases included, 35@40½c.	
Potatoes—Steady. Wisconsin white, \$2.30@2.40; Michigan white, \$2.35@2.40; Idaho, Colorado and Washington, \$2.40@2.50.	
Poultry—Fowls, 21c; springs, 20½c.	

### Stock Prices.

New York Cotton—March, \$15.92; May, \$16.00; July, \$16.93; October, \$15.55; December, \$15.69.	
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### Chicago Grain and Provision Prices.

Chicago—Wheat—No. 3 red, \$1.74; No. 3 hard, \$1.70; No. 2 yellow, \$1.61; No. 4 yellow, 98½¢@1.00; No. 4 white, 95½¢@99¢.	
Oats—No. 3 white, 57¢@58¢; standard, 57½¢@59c.	
Rye—No. 2, \$1.47.	
Barley—\$1.00@1.20.	
Timothy—\$2.50@2.55.	
Clover—\$12.00@18.00.	
Pork—\$30.00.	
Lard—\$16.57.	
Ribs—\$15.37@15.57.	